

## §2624-A. Board of Licensure of Water System Operators

The Board of Licensure of Water System Operators, referred to in this section as the "board," is established within the department pursuant to Title 5, chapter 379. [PL 2003, c. 33, §5 (AMD).]

**1. Membership; general qualifications.** The board consists of 9 members appointed by the Governor as follows: 3 water treatment or water distribution system operators, one holding a Class II license, one holding a Class III license and one holding a Class IV license; one member of the public who is a registered professional engineer; one person who is an educator in the field of water supply or service; one person who is a water management representative; one person who represents a "very small water system," as that term is defined in rules of the board; one person who is an owner or manager of a nontransient, noncommunity public water system; and one person from the department, as the commissioner may recommend, subject to appointment by the Governor. [PL 2003, c. 33, §5 (AMD).]

**2. Terms.** Each member of the board is appointed for a 3-year term. The appointee from the department serves at the pleasure of the Governor. The commissioner may recommend to the Governor at any time that the appointee from the department be replaced. Vacancies must be filled by appointment of the Governor for all unexpired terms. [PL 2003, c. 33, §5 (AMD).]

**3. Chair; secretary.** Members of the board shall elect from among the members a chair at the first meeting of each year. Members shall also elect from among the members a secretary who is responsible for maintaining records and providing administrative support. [PL 1995, c. 442, §2 (NEW).]

**4. Call of meetings.** Meetings of the board may be called by the chair, or by the chair at the request of any other 2 members, as necessary to carry out this chapter. [PL 1995, c. 442, §2 (NEW).]

**5. Conduct of meetings.** A majority of the members of the board constitutes a quorum for the purpose of conducting the business of the board and exercising all the powers of the board. A vote of the majority of members present is sufficient for all actions of the board. [PL 1995, c. 442, §2 (NEW).]

**6. Powers and duties.** The powers and duties of the board are as follows.

A. The board shall license persons to serve as operators of all or part of any public water system in the State. [PL 2011, c. 45, §2 (AMD).]

B. The board shall design or approve and hold at least one examination each year at a time and place designated for the purpose of examining candidates for licensure. The board may accept results of examinations approved by the board administered by a 3rd party, whose fees are not governed by section 2629. [PL 2011, c. 45, §2 (AMD).]

C. The board may enter into contracts or agreements to carry out its responsibilities under this section. [PL 2011, c. 45, §2 (AMD).]  
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**7. Fund.** The Board of Licensure of Water System Operators Fund is established and is governed by the following provisions.

A. All money collected by the board in the form of application fees, reinstatement and renewal fees, expense reimbursements ordered by the board or payment for services such as reproduction and distribution of copies of board decisions and photocopying or for the use of facilities must be deposited with the Treasurer of State in a separate account to be known as the Board of Licensure of Water System Operators Fund. [PL 2003, c. 33, §5 (AMD).]

B. The board may use the fund to defray the reasonable costs incurred by the board in carrying out its duties. [PL 1995, c. 442, §2 (NEW).]

C. Except as specified in this paragraph, any amount within the fund that is not expended at the end of a fiscal year does not lapse, but is carried forward to be expended by the board in carrying out its duties in succeeding fiscal years. Upon certification of the board that certain amounts in the fund are not required by the board, the Treasurer of State shall transfer the amounts to the General Fund. [PL 1995, c. 442, §2 (NEW).]

[PL 2003, c. 33, §5 (AMD).]

**8. Records.** The board shall keep all records and minutes necessary to the ordinary dispatch of its functions. The board shall keep a register of all applicants for licensure and a register of all licensees. [PL 1995, c. 442, §2 (NEW).]

**9. Reports.** No later than August 1st of each year, the board shall submit to the commissioner a report of its transactions in the preceding fiscal year ending June 30th and shall transmit to the commissioner a complete statement of all the receipts and expenditures of the board, attested by affidavits of the board's chair and secretary.

[PL 1995, c. 442, §2 (NEW).]

**10. Staff.** The commissioner, to the extent possible and reasonable, shall make available to the board such staff, facilities, equipment, supplies, information and other assistance as the board may reasonably require to carry out its activities. The commissioner may also appoint, subject to the Civil Service Law, the employees necessary to carry out this section. Any person so employed must be located in the department and under the administrative and supervisory direction of the commissioner. [PL 1995, c. 442, §2 (NEW).]

**11. Compensation of members.** Members of the board are entitled to reimbursement for expenses only pursuant to Title 5, section 12004-A, subsection 46.

[PL 1995, c. 442, §2 (NEW).]

#### SECTION HISTORY

PL 1995, c. 442, §2 (NEW). PL 1999, c. 688, §4 (AMD). PL 2001, c. 471, §D21 (AMD). PL 2003, c. 33, §5 (AMD). PL 2011, c. 45, §2 (AMD).

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